

Serial No. 10/500,127

Docket No. HI-0204

Amdt. dated April 23, 2007

Reply to Office Action of January 24, 2007

### REMARKS/ARGUMENTS

Claims 1-2, 4-12, 14-17, and 19 are pending. By this Amendment, claim 10 is amended. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 1, 2, 4-6, 8, and 9 under 35 U.S.C. §103(a) as being unpatentable over Katagiri, U.S. Patent No. 5,598,607 in view of Overhues et al. (hereinafter "Overhues"), U.S. Patent 5,112,178. The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, a plate shaped spacer inserted between the frictional member tightening planes, for supporting force exerted on the frictional member. The Office Action acknowledges that Katagiri fails to disclose or suggest such features. However, the Office Action then asserts that:

Overhues teaches an arrangement comprising [ ] parallel tightening planes (not shown in drawings), a tightening member (5) and plate shaped spacer (1) between the tightening planes. Overhues uses the spacer (1) to prevent loosening of the joint (column 1, lines 15, 16). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Katagiri as taught by Overhues, such that Katagiri includes a spacer plate, in order to prevent loosening of the joint.

However, the claimed plate shaped spacer is different from the washer disclosed by Overhues. Referring, for example, to the exemplary embodiment shown in Figures 1-5 of the present application and the corresponding disclosure, plate shaped spacer 43 prevents the destruction of

frictional member 41 by keeping a predetermined gap between two frictional member tightening planes 41b and thereby dispersing strong pressure exerted on the frictional member 41. See, for example, page 8, lines 7-11 of the present application. In contrast, the washer disclosed by Overhues is designed to securely seat a screw such that it can be tightened without damaging a support. See, for example, col. 2, lines 5-8, and col. 4, lines 33-47 of Overhues. Therefore, Overhues fails to disclose or suggest at least the claimed plate shaped spacer, and thus it would not have been obvious to modify Katagiri in view of Overhues as suggested by the Examiner to produce the claimed invention of independent claim 1.

Further, the washer taught by Overhues is merely a plate shaped spacer placed between a tightening member (screw 8) and a tightening plane (the support). Thus, even if it would have been obvious to combine the two references, the washer taught by Overhues still would not support the force exerted on the frictional member, as recited in independent claim 1.

Accordingly, the rejection of independent claim 1 over Katagiri and Overhues should be withdrawn. Dependent claims 2, 4-6, and 8-9 are allowable over Katagiri and Overhues at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Katagiri in view of Overhues, and further in view of Lu, U.S. Patent No. 6,018,847. The rejection is respectfully traversed.

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Dependent claim 7 is allowable over Katagiri and Overhues at least for the reasons discussed above with respect to independent claim 1, from which it depends, as well as for its added features. Lu fails to overcome the deficiencies of Katagiri and Overhues, as it is merely cited as allegedly teaching a guiding protuberance or guiding portion. Accordingly, the rejection of claim 7 over Katagiri, Overhues, and Lu should be withdrawn.

The Office Action rejected claims 10-12 and 14 under 35 U.S.C. §103(a) as being unpatentable over Katagiri in view of Lu. The rejection is respectfully traversed.

Independent claim 10 has been amended to recite, *inter alia*, a plate shaped spacer inserted between the frictional member tightening planes, for supporting force exerted on the frictional member. As acknowledged by the Office Action, Katagiri fails to disclose or suggest such features. Further, Lu also fails to disclose or suggest such features. Further, Katagiri and Lu fail to disclose or suggest the claimed combination of independent claim 10.

Accordingly, the rejection of independent claim 10 over Katagiri and Lu should be withdrawn. Dependent claims 11-12, and 14 are allowable over Katagiri and Lu at least for the reasons discussed above with respect to independent claim 10, from which they depend, as well as for their added features.

The Office Action rejected claims 15, 16, 17, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Katagiri in view of Lu and Overhues. The rejection is respectfully traversed.

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Independent claim 15, recites, *inter alia*, a plate shaped spacer inserted between the tightening planes, for supporting force exerted on the frictional member. As set forth above none of Katagiri, Lu, nor Overhues disclose or suggest such features. Further, it would not have been obvious to modify Katagiri in view of Lu and Overhues to produce the claimed invention of independent claim 15. Furthermore, Katagiri, Lu, and Overhues fail to disclose or suggest the claimed combination of independent claim 15.

Accordingly, the rejection of independent claim 15 over Katagiri, Lu, and Overhues should be withdrawn. Dependent claims 16, 17, and 19 are allowable over Katagiri, Lu, and Overhues at least for the reasons discussed above with respect to independent claim 15, from which they depend, as well as for their added features.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

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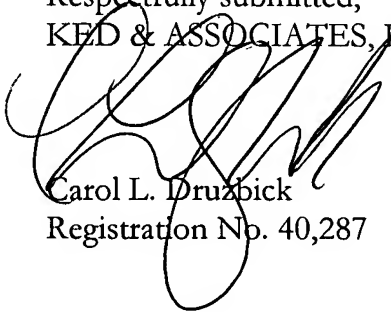
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



Carol L. Druzbeck  
Registration No. 40,287

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
(703) 766-3777 CLD:tlg

**Date: April 23, 2007**

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**Please direct all correspondence to Customer Number 34610**